

### **REMARKS**

Claims 1-27 were pending. Claim 1, 3, 4, 7, 8, 15, 16, 19 and 20 are currently amended. Claims 11, 12, and 22-25 are cancelled. Claims 2, 5, 6, 9, 10, 13, 14, 17, 18, 21, 26 and 27 are original.

No new matter has been introduced by virtue of the amendments made herein. Accordingly, applicants respectfully request their entry. In view of the amendments made herein and the remarks below, applicants respectfully request reconsideration and withdrawal of the rejection set forth in the June 29, 2005 Office Action.

#### **Objection to Claims 4, 8, 12, 16, 20 and 24**

Claims 4, 8, 12, 16, 20 and 24 have been objected to because of alleged informalities. In particular, the Examiner states that these claims do not contain a period after the table set forth in said claims. MPEP §608.01(m).

In response, applicants have herein amended claims 4, 8, 16, and 20 to insert the required period, and without prejudice and solely in the interests of facilitating prosecution, have cancelled claims 12 and 24, thereby rendering moot the objection with respect thereto.

Accordingly, applicants respectfully request the Examiner to withdraw the objection.

#### **Rejection under 35 U.S.C. §112, Second Paragraph, of Claims 3, 4, 7, 8, 11, 12, 15, 16, 19, 23 and 24**

Claims 3, 4, 7, 8, 11, 12, 15, 16, 19, 23 and 24 were rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. According to the Examiner, the exact meaning of the phrase “characterized *substantially by*” [emphasis in Office Action]. In addition, claims 11 and 12 were rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite because of an apparent inconsistency in the listing of powder X-ray diffraction peaks in the recited tables.

In response, without prejudice and solely in the interests of facilitating prosecution, applicants have amended claims 3, 4, 7, 8, 15, 16 and 19 to delete the term

“substantially,” and have cancelled claims 11 and 12 to render moot the rejection under 35 U.S.C. §112, second paragraph. Accordingly, applicants submit that the subsisting claims comply with 35 U.S.C. §112, second paragraph, and respectfully request withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

**Rejection under 35 U.S.C. §102(e) of Claims 1 and 22-25**

Claims 1 and 22-25 were rejected under 35 U.S.C. 102(e) as allegedly anticipated by US Patent No. 6,723,878B2. According to the Examiner, the reference teaches 10-camphorsulphonic acid salt of sertraline, which is recited by these claims.

Without prejudice and solely in the interests of facilitating prosecution, applicants have amended claim 1 to delete the 10-camphorsulphonic acid salt of sertraline, and to cancel claims 22-25, thereby rendering moot the rejection under 35 U.S.C. §102(e) over US Patent No. 6,723,878B2.

Accordingly, applicants respectfully request the Examiner to withdraw the rejection.

**Allowability of Claims 2, 5, 6, 9, 10, 13, 14, 17, 18, 21, 26 and 27**

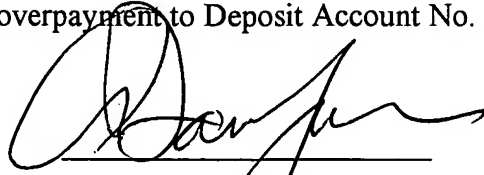
The Examiner indicated that claims 2, 5, 6, 9, 10, 13, 14, 17, 18, 21, 26 and 27, which are objected to as being dependent on a rejected base claim, would be allowable if re-written in independent form. Applicants submit that the amendment herein of claim 1 render moot the objection to claims 2, 5, 6, 9, 10, 13, 14, 17, 18, 21, 26 and 27, and therefore, said claims are indeed allowable.

Accordingly, applicants respectfully request the Examiner to withdraw the objection to claims 2, 5, 6, 9, 10, 13, 14, 17, 18, 21, 26 and 27.

In view of the amendments set forth herein and remarks above, applicants respectfully submit that the pending claims are fully allowable, and solicit the issuance of a notice to such effect. If a telephone interview is deemed to be helpful to expedite the prosecution of the subject application, the Examiner is invited to contact applicants' undersigned attorney at the telephone number provided.

The Commissioner is hereby authorized to charge any fees required under 37 C.F.R. §§1.16 and 1.17 or to credit any overpayment to Deposit Account No. 16-1445.

Date: September 27, 2005

A handwritten signature in black ink, appearing to read 'A. David Joran', written over a horizontal line.

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